

Customer No.: 07278

Docket No.: 06920/000K203-US0

JUN 0 2 2035 &

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re application of:

Yoshitada Katagiri, et al.

Serial No.:

10/047,008

Filed:

January 14, 2002

For:

LASER OSCILLATOR, OPTICAL COMMUNICATION

METHOD AND SYSTEM

June 1, 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it

is filed: (Check one of the boxes A-D)

- []A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- [X] B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- [] C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

- [] i. Counsel states that, upon information and belief, each item of information listed herein was either (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- [] ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.
- [] D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- [] A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08 is/are not being submitted.
- [] B. Document(s) ______ is (are) deemed substantially cumulative to document(s) ______, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- [] C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

[SERIAL NO. & FILING DATE].

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

[] 3.	Cite N	os are not in the English language. In accordance
with 1.98(c),	Applica	nt states:
		An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.
	[]	The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
	[]	A concise explanation of the relevance of document(s) is set forth as follows: [Insert concise explanation of relevance]
	[]	A concise explanation of the relevance of document(s) can be found on page(s) of the specification.
	[]	A concise explanation of document(s) can be found on the attached sheet.
[] 4.	No exp	lanation of relevance is necessary for documents in the English
language (see	reply to	o Comments 67 in the preamble to the final rules; 1135 OG 13 at 20)
[X] 5.	Other i	nformation being provided for the examiner's consideration follows:
A Eu	ropean	Search Report, dated May 2, 2005, which issued during the
prosecution o	f Europ	ean Patent Application No. EP 02 29 0097.
6. In a	accorda	nce with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not

be construed as a representation that a search has been made or that information cited is,

or is considered to be, material to patentability as defined in §1.56 (b), or that any cited

document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the

date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. (1.78 TO RELATED APPLICATIONS

P	'ursuant t	to 37	C.F.R.	(1.78	3, Applicant	notes	that	the	above-identified	patent
applicati	on may b	e rela	ted to th	e follo	wing U.S. P	atent A	Appli	catio	ons:	

(1) U.S. Patent Application Serial No ______, filed ______.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

June 1, 2005

S. Peter Ludwig

Registration No. 25,351 Attorney for Applicant(s)

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PTO/SB/08a/b (08-03)
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Substitute for form 1449A/B/PTO

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Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of

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Complete if Known				
Application Number	10/047,008-Conf. #6348			
Filing Date	January 14, 2002			
First Named Inventor				
Art Unit	N/A			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	06920/000K203-US0			

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Τ ⁶
	BA	EP-1 079 552-A2	02-28-2001	Fujitsu Limited		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
		STRZELECKA, E.M., et al., "Monolithic Integration of an Array of Multiple-Wavelength Vertical-Cavity Lasers with a Refractive Microlens for Optical Interconnections", Lasers and Electro-Optics Society Annual Meeting, 1996, p. 271.		

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner Date Considered	
Considered	
Signature Considered	

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.



Application No. (if known): 10/047,008

Attorney Docket No.: 06920/000K203-US0

Certificate of Express Mailing Under 37 CFR 1.10

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Registration Number, if applicable	Telephone Number				

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Information Disclosure Statement (4 pages)

PTO SB/08 (1 page) 2 References

Copy of European Search Report

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